

**PCT**WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau

## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

<b>(51) International Patent Classification 7 :</b> <b>A61K 49/00</b>		<b>A1</b>	<b>(11) International Publication Number:</b> <b>WO 00/25828</b> <b>(43) International Publication Date:</b> 11 May 2000 (11.05.00)
<b>(21) International Application Number:</b> PCT/US99/25434 <b>(22) International Filing Date:</b> 29 October 1999 (29.10.99)  <b>(30) Priority Data:</b> 60/106,843 3 November 1998 (03.11.98) US		<b>(81) Designated States:</b> AE, AL, AM, AT, AT (Utility model), AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, CZ (Utility model), DE, DE (Utility model), DK, DK (Utility model), EE, EE (Utility model), ES, FI, FI (Utility model), GB, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SK (Utility model), SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).	
<b>(71) Applicant (for all designated States except US):</b> MAGNETIC IMAGING TECHNOLOGIES, INC. [US/US]; Suite 175, 2500 Meridian Parkway, Durham, NC 27713 (US). <b>(72) Inventor; and</b> <b>(75) Inventor/Applicant (for US only):</b> DRIEHUYS, Bastiaan [US/US]; 3625 Sunningdale Way, Durham, NC 27707 (US).  <b>(74) Agents:</b> RICHARDSON, Julie, H. et al.; Myers, Bigel, Sibley, & Sajovec, P.A., P.O. Box 37428, Raleigh, NC 27627 (US).		<b>Published</b> <i>With international search report. Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i>	
<b>(54) Title:</b> HYPERPOLARIZED HÉLIUM-3 MICROBUBBLE GAS ENTRAPMENT METHODS			
<b>(57) Abstract</b> <p>Methods for increasing the <math>T_1</math> of injectable microbubble formulations of hyperpolarized <math>^3\text{He}</math> include the step of introducing the hyperpolarized <math>^3\text{He}</math> to a quantity of microbubbles held in a chamber and increasing the pressure therein to facilitate the movement or loading of the <math>^3\text{He}</math> into the microbubbles. Subsequently, a limited quantity of carrier liquid or a carrier liquid solution alone, or pre-mixed with <math>^3\text{He}</math>, can be introduced to the microbubble/<math>^3\text{He}</math> in the chamber to inhibit the tendency of the <math>^3\text{He}</math> to leach out of the bubble. Related pharmaceutical products and associated containers as well as an evacuation based method for rapid mixing and delivery of the bubbles and the <math>^3\text{He}</math> is also disclosed. An additional method for dissolving <math>^{129}\text{Xe}</math> gas by using bubbles as an accelerant is also described.</p>			

**FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Armenia	FI	Finland	LT	Lithuania	SK	Slovakia
AT	Austria	FR	France	LU	Luxembourg	SN	Senegal
AU	Australia	GA	Gabon	LV	Latvia	SZ	Swaziland
AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
BA	Bosnia and Herzegovina	GE	Georgia	MD	Republic of Moldova	TG	Togo
BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
BE	Belgium	GN	Guinea	MK	The former Yugoslav Republic of Macedonia	TM	Turkmenistan
BF	Burkina Faso	GR	Greece	ML	Mali	TR	Turkey
BG	Bulgaria	HU	Hungary	MN	Mongolia	TT	Trinidad and Tobago
BJ	Benin	IE	Ireland	MR	Mauritania	UA	Ukraine
BR	Brazil	IL	Israel	MW	Malawi	UG	Uganda
BY	Belarus	IS	Iceland	MX	Mexico	US	United States of America
CA	Canada	IT	Italy	NE	Niger	UZ	Uzbekistan
CF	Central African Republic	JP	Japan	NL	Netherlands	VN	Viet Nam
CG	Congo	KE	Kenya	NO	Norway	YU	Yugoslavia
CH	Switzerland	KG	Kyrgyzstan	NZ	New Zealand	ZW	Zimbabwe
CI	Côte d'Ivoire	KP	Democratic People's Republic of Korea	PL	Poland		
CM	Cameroon	KR	Republic of Korea	PT	Portugal		
CN	China	KZ	Kazakhstan	RO	Romania		
CU	Cuba	LC	Saint Lucia	RU	Russian Federation		
CZ	Czech Republic	LI	Liechtenstein	SD	Sudan		
DE	Germany	LK	Sri Lanka	SE	Sweden		
DK	Denmark	LR	Liberia	SG	Singapore		

## HYPERPOLARIZED HELIUM-3 MICROBUBBLE GAS ENTRAPMENT METHODS

### Field of the Invention

The present invention relates generally to hyperpolarized Helium-3 ("<sup>3</sup>He") and is particularly suitable for Magnetic Resonance Imaging ("MRI") and NMR spectroscopic medical diagnostic applications.

5

### Background of the Invention

Conventionally, MRI has been used to produce images by exciting the nuclei of hydrogen molecules (present in water protons) in the human body. However, it has recently been discovered that polarized noble gases can produce improved images of 10 certain areas and regions of the body, which have heretofore produced less than satisfactory images in this modality. Polarized <sup>3</sup>He and Xenon-129 ("<sup>129</sup>Xe") have been found to be particularly suited for this purpose. Unfortunately, as will be discussed further below, the polarized state of the gases are sensitive to handling and environmental conditions and, undesirably, can decay from the polarized state 15 relatively quickly.

"Polarization" or hyperpolarization of certain noble gas nuclei (such as <sup>129</sup>Xe or <sup>3</sup>He) over the natural or equilibrium levels, *i.e.*, the Boltzmann polarization, is desirable because it enhances and increases MRI signal intensity, allowing physicians to obtain better images of the substance in the body. *See* U. S. Patent No. 5,545,396 20 to Albert et al., the disclosure of which is hereby incorporated herein by reference as if recited in full herein.

For medical applications, after the hyperpolarized gas is produced, it is processed to form a non-toxic or sterile composition prior to introduction into a

patient. Unfortunately, during and after collection, the hyperpolarized gas can deteriorate or decay (lose its hyperpolarized state) relatively quickly and therefore must be handled, collected, transported, and stored carefully. The "T<sub>1</sub>" decay constant associated with the hyperpolarized gas' longitudinal relaxation time is often used to 5 describe the length of time it takes a gas sample to depolarize in a given container. The handling of the hyperpolarized gas is critical, because of the sensitivity of the hyperpolarized state to environmental and handling factors and the potential for undesirable decay of the gas from its hyperpolarized state prior to the planned end use, *i.e.*, delivery to a patient. Processing, transporting, and storing the hyperpolarized 10 gases -- as well as delivery of the gas to the patient or end user -- can expose the hyperpolarized gases to various relaxation mechanisms such as magnetic gradients, ambient and contact impurities, and the like.

In the past, various hyperpolarized delivery modes such as injection and inhalation have been proposed to introduce the hyperpolarized gas to a patient. 15 Inhalation of the hyperpolarized gas is typically preferred for lung or respiratory type images. To target other regions, other delivery paths and techniques can be employed. However, because helium is much less soluble than xenon in conventional carrier fluids such as lipids or blood, <sup>3</sup>He has been used almost exclusively to image the lungs rather than other target regions. 20 Recent developments have proposed overcoming the low solubility problem of helium by using a micro-bubble suspension. See Chawla et al., *In vivo magnetic resonance vascular imaging using laser-polarized <sup>3</sup>He microbubbles*, 95 Proc. Natl. Acad. Sci. USA, pp. 10832-10835 (September 1998). Chawla et al. suggests using radiographic contrast agents as the injection fluid to deliver microbubbles of 25 hyperpolarized <sup>3</sup>He gas in an injectable formulation. This formulation can then be injected into a patient in order to image the vascular system of a patient.

Generally stated, one way currently used to load or produce the microbubble mixture is via "passive" permeability. That is, the hyperpolarized <sup>3</sup>He typically enters the walls of the micro-bubbles based on the helium permeability of the bubble itself. 30 Thus, this gas loading method can take an undesirable amount of time, which can allow the hyperpolarized gas to decay unduly. Further, contact with the fluid or even

the microbubble can result in contact-induced depolarization which can dominate the relaxation mechanisms of the hyperpolarized  $^3\text{He}$  and cause an undesirable reduction in the hyperpolarized life of the gas.

As such, there remains a need to improve micro-bubble  $^3\text{He}$  formulations and 5 loading methods to minimize the decay of the polarized gas and improve the  $T_1$  of the micro-bubble formulation.

In addition, there is also a need to increase the ease of solubilizing hyperpolarized gaseous xenon, which, in the past, has been problematic.

10

#### Objects and Summary of the Invention

It is therefore an object of the present invention to improve the  $T_1$  for a hyperpolarized  $^3\text{He}$  microbubble injectable solution.

It is another object of the present invention to reduce the effect of contact-induced depolarization to increase the hyperpolarized life of an injectable 15 microbubble product.

It is an additional object of the present invention to produce an injectable microbubble solution in a way which increases the concentration of hyperpolarized  $^3\text{He}$  in the microbubbles in the injectable formulation.

It is another object of the invention to provide methods and devices for 20 administering polarized microbubble injectable formulations to a subject in a manner which can rapidly mix and deliver the formulation to capitalize on the polarized state of the gas before it deleteriously decays.

It is another object of the present invention to process and form a 25 hyperpolarized  $^3\text{He}$  gas mixture in improved containers and injection delivery systems which are configured to inhibit depolarization in the collected polarized gas.

It is yet another object of the invention to provide methods, surface materials and containers which will minimize the depolarizing effects of the hyperpolarized state of the  $^3\text{He}$  gas in a microbubble solution attributed to one or more of paramagnetic impurities, oxygen exposure, stray magnetic fields, and surface contact 30 relaxation.

It is another object of the present invention to provide a dissolution assist method for facilitating the transition of hyperpolarized  $^{129}\text{Xe}$  from a gaseous to a liquid state.

These and other objects are satisfied by the present invention, which is 5 directed to microbubble related hyperpolarized gas injectable solution (solubilized or liquid) products and related production and delivery methods, systems, and apparatus.

A first aspect of the present invention is directed to a method of producing an injectable formulation of hyperpolarized  $^3\text{He}$ . The method includes the steps of introducing a plurality of microbubbles into a chamber and then directing a quantity 10 of hyperpolarized  $^3\text{He}$  into the chamber with the plurality of microbubbles. The pressure in the container is increased to above one atmosphere. A quantity of liquid is then directed into the chamber after the quantity of hyperpolarized gas and the microbubbles are located therein. The microbubbles with the (filled) hyperpolarized  $^3\text{He}$  contact the liquid thereby producing an injectable formulation of hyperpolarized 15  $^3\text{He}$  microbubbles.

In a preferred embodiment, the pressure is increased to above 2 atmospheres, and preferably increased to between about 2-10 atm. It is also preferred that the increasing step is performed after the microbubbles are introduced into the chamber and before the liquid is introduced therein.

20 Preferably, the liquid solution is selected such that it inhibits the depolarization of the gas based on contact with same. For example, in one embodiment, the fluid is selected such that it has low solubility values for  $^3\text{He}$  (preferably less than about 0.01, and more preferably less than about .005-.008) or high diffusion coefficient value for  $^3\text{He}$ . In operation, the microbubble surface or 25 walls are configured in the absence of the injection liquid to allow the hyperpolarized  $^3\text{He}$  to freely enter through the exterior cage-like shell of the bubble, then the fluid or liquid wraps around the openings in the cage-like shell to trap the hyperpolarized gas therein in such a way as to inhibit the transfer or leaching of the gas out of the microbubble. In addition, or alternatively, the fluid itself is introduced in a relatively 30 limited quantity which can reduce the pressure differential between the  $^3\text{He}$  in the bubbles and those in the fluid and/or a quantity of  $^3\text{He}$  can be premixed with the liquid

solution. The reduced pressure differential (saturation or equilibrium of the  $^3\text{He}$  in the fluid external of the bubbles) can reduce the amount of  $^3\text{He}$  which migrates therefrom.

In addition, even if the  $^3\text{He}$  exits the bubble, the low solubility of the selected fluid can reduce the amount of migration of helium from the bubble until equilibrium/saturation to prolong polarization associated therewith, thereby prolonging the  $T_1$  of the microbubble injectable mixture. Indeed, the selection of the fluid will be an important factor in establishing a sufficiently long  $T_1$  for the injectable formulation itself. Alternatively, or additionally, for formulations directed to  $^3\text{He}$  dissolved into liquid, it is preferred that the liquid have a high diffusion coefficient for  $^3\text{He}$  (high diffusion preferably meaning about  $1.0 \times 10^{-5} \text{ cm}^2/\text{s}$  and more preferably at least  $1.0 \times 10^{-4} \text{ cm}^2/\text{s}$ ).

Another aspect of the present invention is directed toward a method of mixing and formulating polarized gaseous  $^3\text{He}$  for *in vivo* injection. The method includes the steps of introducing a quantity of microbubbles into a container and applying a vacuum to the container. The method also includes directing a first quantity of hyperpolarized  $^3\text{He}$  gas into the evacuated container with the microbubbles and directing a second quantity of a fluid into the container thereafter to form a bubble solution. The bubble solution is then removed from the container and injected into a subject.

Preferably, the second quantity of fluid comprises a substantially deoxygenated fluid and the injecting step includes delivering the bubble solution to an *in situ* positioned catheter inserted into the vein of a subject. It is also preferred that the mixing portion of the method be carried out temporally proximate to the injecting step (preferably performed within about 30 seconds prior to the injection).

An additional aspect of the present invention is directed toward a method of solubilizing gaseous hyperpolarized  $^{129}\text{Xe}$ . The method includes the steps of introducing a first quantity of bubbles into a chamber and directing a second quantity of hyperpolarized  $^{129}\text{Xe}$  into the chamber such that at least a portion of the  $^{129}\text{Xe}$  contacts the microbubbles. The method also includes the steps of dissolving a portion of the  $^{129}\text{Xe}$  and then separating substantially all of the microbubbles from the  $^{129}\text{Xe}$  prior to delivery of the dissolved phase of the  $^{129}\text{Xe}$  to a subject. The microbubbles

act as an accelerant to solubilize the  $^{129}\text{Xe}$  from a gaseous state.

Yet another aspect of the present invention is a pharmaceutical injectable *in vivo* fluid hyperpolarized product. The product includes a first quantity of microbubbles formed from a first material and a second quantity of hyperpolarized  $^3\text{He}$ . The product also includes a third quantity of a liquid carrier solution. The third quantity is less than or substantially equal to the sum of the first and second quantities.

Preferably, the microbubbles are sized to be less than about  $10\text{ }\mu\text{m}$  in diameter and the injectable product is single bolus sized as about 50cc's.

10 The present invention includes methods to increase the density of the  $^3\text{He}$  in each microbubble (increasing the loading density) and to increase the bubble packing density to "pack" the bubbles more densely in the solution. Each can provide one or more of stronger signal strength and greater effective  $T_1$ 's.

Further, the present invention can allow reduced bolus sized quantities of  $^3\text{He}$ .  
15 For example, venous hyperpolarized gas microbubble injection volumes of from about 5-50 cc's, and more preferably about 15-30 cc's, can provide sufficient signal for clinically useful images. Preferably, the microbubble formulations of the present invention are also formed such that the gas microbubbles are sized to be less than about  $10\mu\text{m}$  and more preferably about  $8\text{ }\mu\text{m}$  or less in diameter so as to be able to be  
20 injected in a venous side of the circulation system and then pass through the capillaries to the arterial side of the circulation system

Advantageously, one or more of the loading of the gas into the bubble, and the delay in its escape, and the fluid packing and fluid compatibility can facilitate the delivery of quantities of the  $^3\text{He}$  in a manner which can allow the gas to be injected  
25 into a target area in a sufficient quantity and strength to provide clinically useful information.

The present invention, recognizing the very limited ( $T_1$ ) life of the microbubble formulations, also provides a rapid mixing and delivery device which can allow the bubble mixing and formulation preparation temporally proximate to the  
30 point of injection (preferably injected via a catheter). The present invention also allows for an NMR coil to be positioned on and/or operably associated with the

microbubble formulation (on the gas-filled bubble formulation holding chamber or associated conduits, catheters, or holding chamber stems and the like) to allow for a polarization measurement to be conveniently obtained in conjunction with a planned delivery to better calibrate the signal intensity and/or reduce the delivery of 5 depolarized substances.

Brief Description of the Drawings

**Figure 1** schematically illustrates a microbubble cage-like shell (the specific configuration and size of the opening(s) in the "shell" being attributed to the 10 molecular structure of the bubble material itself) and loading method according to the present invention.

**Figure 1A** schematically illustrates an alternative embodiment of a microbubble structure according to the present invention.

**Figure 2** schematically illustrates an apparatus or introduces a liquid into a 15 microbubble and hyperpolarized  $^3\text{He}$  gas mixture.

**Figure 3** schematically illustrates the liquid of **Figure 2** forming an outer wall or closing the cage-like opening(s) in the microbubble shell to trap the hyperpolarized gas therein.

**Figure 4** schematically illustrates the microbubble mixture of **Figure 2** being 20 withdrawn from the mixing container in preparation of injecting a predetermined amount into a target.

**Figure 5A** is a front view schematic illustration of an evacuated delivery and mixing system.

**Figure 5B** is a front view schematic illustration of **Figure 5A** showing a 25 syringe (the syringe and container are shown exaggerated in scale for ease of representation) withdrawal and injectable delivery technique.

**Figure 6** is a block diagram of a method of formulating a microbubble injectable product.

Detailed Description of the Invention

The present invention now will be described more fully hereinafter with reference to the accompanying drawings, in which preferred embodiments of the invention are shown. This invention may, however, be embodied in many different forms and should not be construed as limited to the embodiments set forth herein; rather, these embodiments are provided so that this disclosure will be thorough and complete, and will fully convey the scope of the invention to those skilled in the art. Like numbers refer to like elements throughout. In the figures, certain features have been exaggerated for clarity or drawn for illustration purposes and as such the figures 5 are not drawn to scale. For example, a typical microbubble is sized such that it is much larger (preferably sized at about 10 $\mu$ m or less) than a 5 $\text{\AA}$  atom of  $^3\text{He}$  (e.g., about 2000 times larger). In addition, it will be appreciated that the molecular make-up of the bubble (corresponding to the particular bubble material(s)) will provide the specific configuration and size of the opening(s) and structure of the shell and walls 10 15 and the figures herein are merely for schematic representation and discussion.

Background -- Polarized Gas Relaxation Processes

Once hyperpolarized, there is a theoretical upper limit on the relaxation time ( $T_1$ ) of the polarized gas based on the collisional relaxation explained by fundamental 20 physics, *i.e.*, the time it takes for a given sample to decay or depolarize due to collisions of the hyperpolarized gas atoms with each other absent other depolarizing factors. For example,  $^3\text{He}$  atoms relax through a dipole-dipole interaction during  $^3\text{He}$ - $^3\text{He}$  collisions, while  $^{129}\text{Xe}$  atoms relax through N-I spin rotation interaction (where N 25 is the molecular angular momentum and I designates nuclear spin rotation) during  $^{129}\text{Xe}$ - $^{129}\text{Xe}$  collisions. Stated differently, the angular momentum associated with flipping over a nuclear spin is conserved by its being taken up by the rotational angular momentum of the colliding atoms. In any event, because both processes occur during noble gas-noble gas collisions, both resulting relaxation rates are directly 30 proportional to gas pressure ( $T_1$  is inversely proportional to pressure). Thus, at one atmosphere, the theoretical relaxation time ( $T_1$ ) of  $^3\text{He}$  is about 744-760 hours, while for  $^{129}\text{Xe}$  the corresponding relaxation time is about 56 hours. *See* Newbury et al.,

*Gaseous  $^3\text{He}$ - $^3\text{He}$  Magnetic Dipolar Spin Relaxation*, 48 Phys. Rev. A, No. 6, p. 4411 (1993); Hunt et al., *Nuclear Magnetic Resonance of  $^{129}\text{Xe}$  in Natural Xenon*, 130 Phys. Rev. p. 2302 (1963). Unfortunately, other relaxation processes prevent the realization of these theoretical relaxation times. For example, the collisions of gaseous  $^{129}\text{Xe}$  and  $^3\text{He}$  with container walls (“surface relaxation”) have historically dominated most relaxation processes. For  $^3\text{He}$ , most of the known longer relaxation times have been achieved in special glass containers having a low permeability to helium. In the past, a fundamental understanding of surface relaxation mechanisms has been elusive, which has made the predictability of the associated  $T_1$  difficult.

10 U.S. Patent No. 5,612,103 to Driehuys et al. describes using coatings to inhibit the surface-induced nuclear spin relaxation of hyperpolarized noble gases, especially  $^{129}\text{Xe}$ . The disclosure of this patent is hereby incorporated by reference as if recited in full herein. Driehuys et al. recognized that nuclear spin relaxation of  $^{129}\text{Xe}$  on a polydimethoxysiloxane (“PDMS”) surface coating can be dominated by dipolar coupling of the  $^{129}\text{Xe}$  nuclear spin to the protons in the polymer matrix. Thus, it was demonstrated that paramagnetic contaminants (such as the presence of paramagnetic molecules like oxygen) were not the dominant relaxation mechanism in that system because the inter-nuclear dipole-dipole relaxation was found to dominate the system under investigation. This was because  $^{129}\text{Xe}$  substantially dissolved into the particular 15 polymer matrix (PDMS) under investigation. *See* Bastiaan Driehuys et al., *Surface Relaxation Mechanisms of Laser-Polarized  $^{129}\text{Xe}$* , 74 Phys. Rev. Lett., No. 24, pp. 4943-4946 (1995).

20

#### Background--Relaxivity of Materials

25 In order to compare the characteristic information of certain materials concerning their respective relaxing effects on hyperpolarized noble gases, the term “relaxivity” is used. As used herein, the term “relaxivity” (“ $\Upsilon$ ”) is used to describe a material property associated with the rate of depolarization (“ $1/T_1$ ”) of the hyperpolarized gas sample. *See* co-pending and co-assigned U.S. Patent Application 30 No. 09/126,448, entitled *Containers for Hyperpolarized Gases and Associated*

*Methods*, the disclosure of which is hereby incorporated by reference as if fully recited herein.

Generally stated, gas dissolved in the polymer surface relaxes quickly (less than one second), so most of the hyperpolarized gas in the container is in the free gas form. Therefore, relaxation of this gas occurs through continual exchange between the free gas and the gas dissolved in the polymer. In material quantities, the rate of this gas exchange can be described by the "sorption parameters" - solubility ("S"), diffusion coefficient ("D"), and permeability ("P"). Permeability is the transmission of atoms or molecules through a (polymer) film. It depends on chemical and physical structure of the material as well the structure and physical characteristics of the permeant molecules. Permeability can be defined as the product of solubility and the diffusion coefficient ("P=SxD"). Solubility ("S") is a measure of how much permeant can be dissolved in a given material. Diffusion coefficient ("D") is a measure of the random mobility of the atoms in the polymer. Thus, the polymer sorption parameters can be used to characterize the relaxation of hyperpolarized gases in the presence of permeable surfaces.

As discussed in the above-referenced patent application, the relaxation rate (" $\Gamma_p$ ") in the polymer terms can be rewritten in terms of  $T_1$ ,  $\Gamma_p=1/T_{1p}$ . Solving for the relaxation time  $T_1$ :

$$20 \quad T_1 = \frac{a}{S} \sqrt{\frac{T_{1p}}{D_p}} \quad (1.00)$$

This analysis can be extended into three dimensions, yielding:

$$T_1 = \frac{V_c}{A_p S} \sqrt{\frac{T_{1p}}{D_p}} \quad (1.10)$$

25 where  $V_c$  is the internal volume of the chamber,  $A_p$  is the exposed surface area of the polymer and  $S$  is the solubility of the gas in the polymer.

The inverse relationship between  $T_1$  and  $S$  is a key observation from this development. There is also an apparent inverse square root dependence on the

diffusion coefficient  $D_p$ . However, the relaxation time in the polymer  $1/T_p$  also depends on  $D_p$ , canceling the overall effect on  $T_1$ . This leaves solubility as the dominant sorption characteristic in determining  $T_1$ .

5     $^3\text{He}$  Microbubble Relaxation Considerations

The hyperpolarized  $^3\text{He}$  is introduced to at least three different contact related relaxation mechanisms when formulating the suspension mixture: the injection container related parameters such as the size, shape and material (as well as the materials of the proximately located seals and other components) of the container, the 10 microbubble related parameters such as size, shape and material, and the injection fluid material. The container will be discussed further below but is preferably configured and formed from materials such that it is polarization-friendly.

Generally described, the microbubble acts as a miniature container to hold the hyperpolarized  $^3\text{He}$ . As such, the gas is preferably introduced into the “bubble” in a 15 relaxation-efficient manner. Further, the structure of the microbubble is preferably such that the  $^3\text{He}$  can freely enter into the bubble through the exterior walls of the bubble in the absence of the injection liquid. Still further, the bubble is preferably loaded such that it retains increased amounts of  $^3\text{He}$ . The instant invention provides several alternatives of suitable material structure, and loading methods for the 20 microbubble configurations in combination with different injection fluids and preferred associated material property values thereof as they relate to hyperpolarized  $^3\text{He}$  in order to optimize the microbubble injectable solution  $T_1$ .

In addition, it will be appreciated by one of skill in the art that the shell or wall thickness of the typical bubble is much thinner than the critical length scale  $L_p$ , 25 (defined and discussed below). For example, for silicone,  $D=4.1\text{e}^{-5}\text{cm}^2/\text{s}$  and  $T_p=4.5\text{s}$ , and the associated length scale is about  $100\mu\text{m}$ . In contrast, the wall thickness of a typical bubble can be 5-6 orders of magnitude thinner (about  $100\text{\AA}$ ), thereby significantly reducing the role of the bubble wall in the depolarization analysis. Thus, the  $T_1$  of the  $^3\text{He}$  gas in the bubble is not shorter than the  $T_1$  of  $^3\text{He}$  in the fluid, *i.e.*, it 30 allows for increased or improved image acquisition time or more distal target imaging regions from the point of injection.

Loading

Assuming the microbubble is a spherical bubble of radius "R" and associated area ("A") of the shell with shell thickness "Δx" and that the initial volume of gas ( $V_g$ ) which exists in the bubble shell is given by the product of gas solubility in the shell material (S), the gas density outside the shell  $[G]_o$ , and the volume of the shell ( $ΔxA$ ), then

$$V_g = S[G]_o \Delta x A \quad (2)$$

10

The time it takes for this volume of gas to permeate through to the interior is limited by diffusion. Nominally, this time is given by  $t = (\Delta x^2/D)$ .

Thus, the volume of gas permeating into the shell per unit time can be expressed by:

$$\frac{d}{dt} V_g = \frac{S[G]_o D A}{\Delta x} \quad (3)$$

15

A more complex analysis may take into account the build-up of gas on the interior of the bubble and the resulting differential equation. As the interior gas concentration builds, the transfer of gas from the exterior will slow, and equilibrium will be reached in the form of a charging capacitor. However, a good working estimate of how long it takes to "load" the interior of the bubble with polarized  $^3\text{He}$  can be obtained without this analysis. This loading time can be described as

20

$$\frac{d}{dt} V_g t_{load} = V \quad (4)$$

25

where (V) is the interior volume of the bubble. Thus, according to equation (5), estimates of hyperpolarized gas loading time into the bubble can be calculated as

$$t_{load} = \frac{R \Delta x}{3 S [G]_o D} \quad (5)$$

For example, assuming that  $R = 5\mu\text{m} = 5 \times 10^{-4} \text{ cm}$  and  $[G]_0 = 1 \text{ amagat}$  and a helium solubility of  $S \approx 0.01$  (which it typically is for most preferred materials), and using an estimate of a diffusion coefficient of helium in LDPE which is  $D = 6.8 \times 10^{-6} \text{ cm}^2/\text{s}$  and an extremely thin wall  $\Delta x = 100\text{\AA} = 10^{-6} \text{ cm}$ , the diffusion time is calculated as a 5 reasonable  $t \approx 2.5 \text{ ms}$ . For a larger wall thickness, on the order of  $\Delta x = 1\mu\text{m} = 1.0 \times 10^{-4} \text{ cm}$ , the loading time increases to 0.25s, which, although slower, is still relatively good.

#### Increasing the Loading Density

10 As shown in Figure 2, another way to increase the  $T_1$  of the microbubble mixture is to increase the density or quantity of  $^3\text{He}$  loaded into the microbubble. This increased loading density can be attained by increasing the pressure in the preparation container to force additional quantities of  $^3\text{He}$  into a microbubble 10. The increased density of the polarized  $^3\text{He}$  in a microbubble 10 can prolong the effective  $T_1$  of the 15 solution. For example, escaped  $^3\text{He}$  can act to equilibrate the solution surrounding the microbubble thereby helping to retain partial quantities of the hyperpolarized  $^3\text{He}$  protected/isolated inside the bubble. Another advantage to increasing loading density is that increased quantities of  $^3\text{He}$  in the microbubbles can provide larger signal strength. Preferably, to load, the microbubble spheres are positioned in the container, 20 the hyperpolarized gas is introduced via an air tight seal into the container and the pressure in the container 30 is increased above atmospheric pressure, preferably in the range of about 2-8 atm, and more preferably above 8 atm, and still more preferably up to about 10 atm, to create more densely packed bubbles.

25 Liquid Introduction

As will be appreciated by those of skill in the art, typically a microbubble which is structurally (at a molecular level) configured to allow the molecular  $^3\text{He}$  to enter will typically also just as easily allow it to leave. Thus, it is preferred that, once the hyperpolarized gas is inside the bubble, either the bubble and/or the liquid mixture 30 acts to prevent or inhibit the gas from exiting from the interior of the bubble. In a preferred embodiment, the solution or mixture liquid is selected such that if the

hyperpolarized gas does exit from the bubble, it contacts liquid which has a low solubility for the  $^3\text{He}$ , thereby limiting the total quantity of  $^3\text{He}$  which exits the bubble. "Low solubility" includes solutions selected such that they have a solubility for  $^3\text{He}$  ("S") which is less than about 0.01, and preferably less about .008, and more 5 preferably less than about .005.

Alternatively, for solutions targeted at facilitating  $^3\text{He}$  dissolved in the mixture, the liquid can be selected such that the polarized  $^3\text{He}$  has a high diffusion coefficient therewith. Preferably, "high diffusion" means diffusion coefficient rates of above  $1 \times 10^{-6} \text{ cm}^2/\text{s}$ , and preferably more than about  $6 \times 10^{-6} \text{ cm}^2/\text{s}$ , and still more 10 preferably above about  $1.0 \times 10^{-5} \text{ cm}^2/\text{s}$ , and even more preferably on the order of at least  $1.0 \times 10^{-4} \text{ cm}^2/\text{s}$ . Advantageously, a relatively long  $T_1$  for the solution can be achieved for  $^3\text{He}$  dissolved in fluid by selecting a fluid which has a high diffusion coefficient for  $^3\text{He}$ .

The instant invention recognizes that the injection formulation of 15 microbubbles can be improved by optimizing the microbubble structure itself to provide faster transport of the  $^3\text{He}$  therein. Preferably, the improved structure is provided by formulating a substantial quantity of the bubbles with a surface contact material which is selected to have a low solubility value for  $^3\text{He}$ . In an alternative embodiment, the microbubble material is selected such that it has a relatively thin 20 wall and high diffusion coefficient value for  $^3\text{He}$ , which allows for the  $^3\text{He}$  to move into the bubble more rapidly.

Preferably, the bubbles are sized and configured with thin bubble wall thicknesses and miniaturized microbubble diameters. As used herein, "thin" means a bubble wall thickness of less than about 6 microns, and more preferably a wall 25 thickness of about 1-2 microns. "Miniaturized" includes microbubble diameters which are less than about 10 microns, and preferably less than about 8 microns. The miniaturized size of the bubbles are particularly preferred for perfusion related images such that the bubbles are below about 8 microns so that they can freely travel into and/or through capillaries.

30 Referring to **Figure 1**, one embodiment of the instant invention recognizes that a microbubble **10** can advantageously be formed from a material which is

physiologically compatible and has a cage-like structure with walls 15 which can allow for quicker transport of the hyperpolarized gas 20 into the microbubble 10. The walls 15 of the microbubble define an opening 15a which is preferably sized such that it is slightly larger than the  $^3\text{He}$ . The  $^3\text{He}$  atom is on the order of about 2 $\text{\AA}$ -5  $\text{\AA}$  in 5 diameter and thus the opening 15a in the wall of the microbubble is preferably larger than 2 $\text{\AA}$ . One alternative microbubble embodiment is schematically illustrated in **Figure 1A**, in which a microbubble 10' has cage-like walls 15'.

In operation, as shown in **Figure 2**, the  $^3\text{He}$  20 and microbubbles 10 are positioned in a polarization friendly container and the hyperpolarized  $^3\text{He}$  20 freely 10 enters into the opening(s) 15a in the microbubble until a state of substantial equilibrium is reached. Preferably, the transport time (the time it takes the gas to enter the microbubbles) at increased pressure (above 1 atm) is below about 1 minute for a single dosage amount. That is, in a preferred embodiment, a quantity of 15 microbubbles is introduced into a properly prepared and air tight sealed container (first). The pressure in the container is then elevated to above 1 atm, preferably to about 2-8 atm, and more preferably to above 8 atm, and still more preferably to about 10 atm. A quantity of polarized  $^3\text{He}$  gas is then subsequently directed into the 20 container. The pressure facilitates the tendency of a portion of the hyperpolarized  $^3\text{He}$  to enter the bubble structure. Of course, the pressure can also be increased during the introduction of the  $^3\text{He}$  or even shortly thereafter (or even prior to the introduction of the microbubbles, although not preferred). Preferably, the liquid is also injected into the container while the pressure is elevated. This liquid elevated pressure can be either at substantially the same pressure or a reduced elevated pressure from the microbubble/hyperpolarized gas loading pressure.

25 Also as shown in **Figure 2**, after a predetermined (relatively short) transport time (typically less than about one minute as noted above, *i.e.*, the time for at least a portion of the polarized  $^3\text{He}$  to move into the bubble structure), a liquid or fluid 40 is introduced into the container 30. In one preferred embodiment, it is preferred that the liquid 40 be selected such that the  $^3\text{He}$  has low solubility for the fluid ("S" less than 30 about 0.01, and more preferably less than about .008, and still more preferably less than about .005). The low solubility helps inhibit polarization decay and preferably

plugs the gaps or openings in the microbubble wall such that the  ${}^3\text{He}$  20 is inhibited from leaving the microbubble. As shown in **Figure 4**, the liquid 40 surrounds the microbubble and because the  ${}^3\text{He}$  is substantially insoluble in the fluid, the  ${}^3\text{He}$  20 is repelled by contact with the liquid 40. Further, as shown in **Figure 3**, the liquid forms 5 the outer wall 41 of the microbubble 10, thus effectively "trapping" the  ${}^3\text{He}$  20 in the microbubble. Of course, as noted above, the liquid can also be selected such that it has a high diffusion coefficient for the  ${}^3\text{He}$ . In any event, the  ${}^3\text{He}$  20 and microbubbles 10 together with a solution or fluid mixture form an injectable 10 formulation which preferably provides a single dose injectable volume which is about 5-50 cc's and preferably about 15-30 cc's.

Selection of the liquid introduced into the microbubble/hyperpolarized  ${}^3\text{He}$  combination is important. As discussed above, the liquid 40 is selected such that it provides a relatively long  $T_1$  for the hyperpolarized gas as the gas may exit the microbubble or contact the fluid as it attempts to diffuse through the walls of the 15 microbubble. For *in vivo* applications, it is preferred that the injection liquid be selected so as to be non-toxic and non-depolarizing to the hyperpolarized gas. Preferably, the liquid will be selected such that it has a low proton density along with the low solubility for  ${}^3\text{He}$  as noted above. Preferably, the proton density is less than or equal to about 125 mol/L, and more preferably less than about 120 mol/L, and still 20 more preferably less than about 115 mol/L. It is further preferred, for liquids which have a relatively high oxygen solubility value, that the liquid be processed to be more compatible with the hyperpolarized gas. For example, it is preferred that the liquid be at least partially de-oxygenated and/or partially de-ionized prior to introduction into the container or transport vessel with the hyperpolarized gas. It is more preferred that 25 the liquid be sterilized and substantially de-oxygenated and/or substantially de-ionized. Other modifications and treatment processes can also be performed on the liquids to make them more polarization-friendly. For example, certain elements of the liquids can be substituted or deuterated and the like.

Of course, a plurality of liquids can also be used as the fluid component, such 30 as a liquid mixture or blend, whether miscible or immiscible. Tests indicate that water is a suitable liquid (preferably deoxygenated), as well as  $\text{D}_2\text{O}$ . Water is

compatible and substantially non-depolarizing to  $^3\text{He}$ . Other liquid carriers are known such as those described in PCT/US97/05166 to Pines et al.

Previously, as noted in co-pending and co-assigned US Patent Application No. 09/163,721, entitled *Hyperpolarized Noble Gas Extraction Methods, Masking Methods, And Associated Transport Containers*, adding about 20 cubic centimeters of partially degassed water into the chamber of a 250 ml container changed the associated  $T_1$  of the gas in the container from about 8 hours to about 5 hours. The contents of this application is hereby incorporated by reference as if recited in full herein.

10 For a microbubble mixture comprising deoxygenated water as the filler wall 41, an estimation of the  $T_1$  of the  $^3\text{He}$  in such a microbubble mixture can be described by equation 1.10. For the estimation, an estimate of the solubility of helium and the density of protons in the fluid is established. The solubility of helium in water as stated by Weathersby et al., in *Solubility of inert gases in biological fluids and tissues*, 15 Undersea Biomedical Research 7(4), 277-296 (1980), is given as 0.0098. The proton density of water is 111 mol/L (compared to 131.4 for LDPE). Thus, the ratio of water relaxivity to LDPE relaxivity is  $(0.0098/0.006)(111/131)^{1/2}=1.5$ . Knowing that the LDPE relaxivity is about 0.0012 cm/min, the water relaxivity value is about 0.0018 cm/min. Thus, to obtain an estimate of  $T_1$ , the volume of the bubble is divided by the 20 surface area. For an 8 micron bubble, the V/A is about  $2.7 \times 10^{-4}$  cm and  $T_1$  is about 0.15 min (9 seconds). Doubling the diameter of the bubble to 16 micrometers can increase the time to 18 seconds. Using  $\text{D}_2\text{O}$  as the fluid can provide a  $T_1$  of about 36 seconds.

Figure 6 is a block diagram of the preferred method of forming an injectable 25  $^3\text{He}$  microbubble solution. A quantity of microbubbles is introduced into a container (or gas holding chamber) (Block 100). Preferably the microbubbles are sized with a diameter which is about 10  $\mu\text{m}$  or less (Block 102). Next, a quantity of hyperpolarized  $^3\text{He}$  gas is introduced into the container (Block 110). The pressure in the container is increased to above atmospheric pressure (Block 120), preferably to 30 between 2-10 atmospheres of pressure (Block 122). Of course, the pressure can be

increased before the  $^3\text{He}$  is introduced or, more preferably, subsequent to or concurrently with the introduction of the  $^3\text{He}$  into the container.

The liquid (or liquid solution or mixture) is then introduced into the container (Block 130), preferably after a predetermined lapsed "transit" time. Preferably, the 5 liquid is pre-selected to have one or more of low solubility for  $^3\text{He}$ , a high diffusion coefficient for  $^3\text{He}$ , and, where appropriate to be substantially de-oxygenated and/or de-ionized (Block 132). The liquid can be limited in quantity (Block 134) and/or premixed with another quantity of hyperpolarized gas (Block 136). The liquid, and the microbubble/ $^3\text{He}$  then combine or reside together to form the injectable 10 microbubble formulation (Block 140). Preferably, the injectable formulation is sized in a deliverable bolus of less than or equal to about 50 cc's (Block 142).

#### Bubble Packing

It is preferred that the amount of liquid introduced into the chamber with the 15 microbubble/ $^3\text{He}$  mixture be restricted to an amount about equal to or less than the volume of the combined volumes of  $^3\text{He}$  and microbubbles in order to pack the  $^3\text{He}$  within the "loaded" microbubble. As liquid volume decreases, signal strength based on same can increase and less dilution of ambient  $^3\text{He}$  makes solubility appear 20 smaller. For example, a 2 to 1 or 1 to 1 liquid to gas/microbubbles ratio or less, *i.e.*, 20 cc's of microbubbles, 40 cc's  $^3\text{He}$ , and 60 cc's of liquid will provide a 1-1 ratio.

Alternatively, or additionally, increased quantities of polarized  $^3\text{He}$  can be initially added to the liquid (premixed) to inhibit the tendency of the  $^3\text{He}$  to migrate from the bubbles by providing at least residual amounts of  $^3\text{He}$  within the liquid itself. This can build up the quantity in the solution and reduce leaching from the 25 microbubbles. This additional or "surplus"  $^3\text{He}$  can be added to the liquid before or concurrently with the liquid's introduction into the microbubble mixture in the container. For example, for a mixture comprising about 20 cc's of microbubbles, 20 cc's of gas, and a liquid in an amount less than about 40 cc's, a 20 cc amount of  $^3\text{He}$  can be introduced to the liquid (prior to introduction into the container) to form the 30 combined pre-mix liquid which is then directed into the chamber with the  $^3\text{He}$  and microbubbles.

Stated differently, the instant invention recognizes that the  $T_1$  of the solution is sensitive to bubble dilution in the liquid. Minimizing the liquid introduced into the mixture can minimize the equilibrium differential in the liquid mixture, which, in turn, should reduce the amount of depolarization occurring due to the leaching action.

5 As such, a larger fraction of the  $^3\text{He}$  will remain within the bubble. Saturation corresponds to solubility, which is a volume/volume measurement of about 0.01 according to the present invention

Alternatively, or additionally, adding a liquid with previously introduced quantities of helium gas (*i.e.*, the premix solution) can also reduce the partial pressure 10 difference in the combined mixture, which can also facilitate a larger fraction of the  $^3\text{He}$  to remain within the bubble.

These “bubble-packing” methods, particularly when used with a low-solubility liquid, can result in a higher  $T_1$  formulation. In addition, using deuterated water for the solvent or liquid (or as a component thereof) can also help increase the  $T_1$ .

15 Due to the relatively short efficacy life of the injectable microbubble  $^3\text{He}$  formulation, it is preferred that a rapid mixing and delivery system be employed to administer the formulation to a subject temporally related to initiation of the imaging sequence. That is, the pharmaceutical grade *in vivo* microbubble formulation is mixed onsite, temporally and physically proximate to or related to the point of injection, 20 preferably mixed within about 30 seconds from the time of injection, and more preferably, rapidly and effectively mixed within about 10 seconds from the time of injection.

In any event, in operation, a measurement is preferably taken in advance or concurrently with the injection via a NMR coil 31 on the injection container or 25 delivery path (conduit, syringe body, etc.) to affirm/determine the polarization level of the solution to allow the signal intensity to be correlated with the polarized level of the hyperpolarized solution which is delivered.

As shown in **Figure 4**, the injection mixture 45 is withdrawn from the mixing chamber/transport container 30 into a syringe 70 (**Figure 5B**) which is positioned in a 30 port or septum operably associated with the valve 50 on the bottom of the container so that the liquid restricted mixture can be easily removed (with the help of gravity).

Valves 50, 51 are also employed to control the pressure of the container. Typical valves include Luer Lok™ valves, glass valves such as those available from Konte Kimbles™, and polymer material valves can also be used as is known by those of skill in the art. Of course, other extraction methods and devices can also be used,

5 such as those described in the co-pending and co-assigned patent application discussed above. Preferably, the syringe 70 and any O-rings and valves positioned proximate thereto are formed from or coated with materials (at least the gas contacting surfaces) which are polarization-friendly as will be discussed further below. Further, the containers and syringes and other gas contacting devices are preferably prepared

10 to remove paramagnetic and magnetic impurities and oxygen and the like as will also be discussed further below. In addition, capillary stems and other separation or isolation means can be employed to separate potentially depolarizing valve members from the polarized gas as is discussed in co-pending and co-assigned US Patent Application No. 09/334,400, the contents of which are hereby incorporated by

15 reference as if recited in full herein.

#### Vacuum-Based Methods

In an alternative microbubble fabrication method, a vacuum type microbubble formulation method is employed. Referring to Figures 5A and 5B, a quantity of

20 microbubble shells 10 can be introduced under vacuum to an evacuated (cleaned/prepared) container 30. A quantity of gaseous  $^3\text{He}$  20 can be directed into the container (the vacuum pulls the gas into the container). The evacuated state of the microbubbles induces the  $^3\text{He}$  gas to rapidly enter and/or fill the microbubble shells.

Next, a sub-container 70 such as a syringe which is pre-filled with a liquid carrier

25 solution (such as deoxygenated fluid, liquid, or water) can be injected into the container 30. The container 30 can be re-oriented to allow the subcontainer such as a syringe 70 to be backfilled with (preferably saturated) the bubble/polarized  $^3\text{He}$ /liquid solution. As shown in Figure 5B, the backfilled syringe can then be detached and inserted into a catheter positioned in the subject. Alternatively, a LUER LOK™ valve

30 system can be operated to direct the solution down conduit into the catheter and thereby injected. In operation, the vacuum is preferably pulled to at least 50 microns

(millitorr), and more preferably to at least 10 microns. Thus, the evacuated method also allows for a relatively rapid or fast mix and delivery system.

### Containers

5 Preferred materials for containers include aluminosilicates such as Pyrex® or hyperpolarized gas contacting surfaces formed of materials including non-magnetic high-purity metal films, high-purity metal oxides, high purity insulators or semiconductors (such as high purity silicon) and polymers. As used herein, "high purity" includes materials which have less than about 1 ppm ferrous or paramagnetic 10 impurities and more preferably less than about 1 ppb ferrous or paramagnetic impurities. Preferred polymers for use in the containers described herein include materials which have a reduced solubility for the hyperpolarized gas. For the purposes of the inventions herein, the term "polymer" is to be broadly construed to include homopolymers, copolymers, terpolymers and the like and should also include 15 blends and mixtures thereof. The terms "blends and mixtures thereof" include both immiscible and miscible blends and mixtures. Examples of suitable materials include, but are not limited to, polyolefins (e.g., polyethylenes, polypropylenes), polystyrenes, polymethacrylates, polyvinyls, polydienes, polyesters, polycarbonates, polyamides, polyimides, polynitriles, cellulose, cellulose derivatives and blends and mixtures 20 thereof. It is more preferred that the coating or surface of the container comprise a high-density polyethylene, polypropylene of about 50% crystallinity, polyvinylchloride, polyvinylflouride, polyamide, polyimide, or cellulose and blends and mixtures thereof. *See also* co-pending and co-assigned US Patent Application No. 09/334,400, the contents of which are hereby incorporated by reference as if 25 recited in full herein.

Of course, the polymers can be modified. For example, using halogen as a substituent or putting the polymer in deuterated (or partially deuterated) form (replacement of hydrogen protons with deuterons) can reduce the relaxation rate. Methods of deuterating polymers are known in the art. For example, the deuteration 30 of hydrocarbon polymers is described in U.S. Patent Nos. 3,657,363, 3,966,781, and 4,914,160, the disclosures of which are hereby incorporated by reference herein.

Typically, these methods use catalytic substitution of deuterons for protons. Preferred deuterated hydrocarbon polymers and copolymers include deuterated paraffins, polyolefins, and the like. Such polymers and copolymers and the like may also be cross-linked according to known methods.

- 5        It is further preferred that the polymer be substantially free of paramagnetic contaminants or impurities such as color centers, free electrons, colorants, other degrading fillers and the like. Any plasticizers or fillers used should be chosen to minimize magnetic impurities contacting or positioned proximate to the hyperpolarized noble gas.
- 10      Alternately, in another embodiment, the contact surface can be formed from a high purity metal. The high purity metal can provide advantageously low relaxivity/depolarization resistant surfaces relative to hyperpolarized noble gases.  
As noted above, any of these materials can be provided as a surface coating on an underlying substrate or formed as a material layer to define a friendly contact
- 15      surface. If used as a coating, the coating can be applied by any number of techniques as will be appreciated by those of skill in the art (e.g., by solution coating, chemical vapor deposition, fusion bonding, powder sintering and the like). Hydrocarbon grease can also be used as a coating. The storage vessel or container can be rigid or resilient. Rigid containers can be formed of Pyrex™ glass, aluminum, plastic, PVC or the like.
- 20      Resilient vessels are preferably formed as collapsible bags, such as collapsible polymer or metal film bags. Examples of materials which can provide oxygen resistance as well as low solubility include but are not limited to PET (polyethylene terephthalate), PVDC (polyvinylidene dichloride), Tedlar™ (polyvinylfluoride), cellophane and polyacrylonitrile.
- 25      Preferably, care is taken to insure that all fittings, seals, and the like which contact the hyperpolarized gas or which are located relatively near thereto are manufactured from materials which are friendly to polarization or which do not substantially degrade the polarized state of the hyperpolarized gas. For example, as noted above, many commercially available seals include fluoropolymers or fillers and
- 30      the like which are not particularly good for the preservation of <sup>3</sup>He hyperpolarized gases because of the solubility of the material with the hyperpolarized gas.

Inasmuch as many common gasket materials are fluoropolymers or contain undesirable fillers, they can potentially have a substantially depolarizing effect on the gas. This can be especially acute with respect to  $^3\text{He}$ . This can be attributed to a relatively high solubility of helium in most fluoropolymers due to the larger void space in the polymer attributable to the large fluorine atoms. Indeed, preliminary tests indicate that materials of common O-rings (such as Viton<sup>TM</sup>, Kel-F<sup>TM</sup>, ethylene-propylene, Buna-N<sup>TM</sup>, and silicone) exhibit far worse relaxation properties than would be expected from the relaxation rate of pure polymers. Most conventional O-rings are so depolarizing that they can dominate the relaxation of an entire hyperpolarized gas chamber. Indeed, commercial ethylene propylene O-rings exhibit 1/3 - 1/2 the relaxation time compared to pure LDPE with  $^{129}\text{Xe}$ . The faster relaxation rate can be explained because magnetic impurities in the O-rings can be introduced by such things as colorants and fillers and the like. Therefore, it is preferred that the containers of the present invention employ seals, O-rings, gaskets and the like with substantially pure (substantially without magnetic impurities) hydrocarbon materials such as those containing polyolefins. Examples of suitable polyolefins include polyethylene, polypropylene, copolymers and blends thereof which have been modified to minimize the amount of magnetically impure fillers used therein. Additional suitable seals include hydrocarbon grease and hydrocarbon gaskets and O-rings made from polyethylene and the like. Thus, if a valve is used to contain the gas in the chamber 30, it is preferably configured with reduced magnetic impurities (at least the surface) O-ring and/or with hydrocarbon grease. Of course, because fillers and plasticizers are employed, then it is preferred that they be selected to minimize the magnetic impurities, one preferred material being substantially pure carbon black.

In an alternative embodiment, the O-ring seal can be configured with the exposed surface coated with a high purity metal as discussed for the container surface. Similarly, the O-ring or seal can be coated or formed with an outer exposed layer of a polymer at least " $L_p$ " thick. For example, a layer of pure polyethylene can be positioned over a commercially available O-ring. One preferred commercially available O-ring material for  $^{129}\text{Xe}$  is a Teflon<sup>TM</sup> coated rubber O-ring or a low-relaxivity polymer as discussed above. The void spaces in Teflon<sup>TM</sup> (although it is a

fluoropolymer) do not affect  $^{129}\text{Xe}$  as much as they do  $^3\text{He}$  because  $^{129}\text{Xe}$  is much larger than fluorine, which is much larger than  $^3\text{He}$ . As discussed previously, fluoropolymers can be used as seals with  $^{129}\text{Xe}$  but are not preferable for use with arrangements where the seal may contact the hyperpolarized  $^3\text{He}$ .

5 In order to determine the " $L_p$ " thickness, wherein the layer thickness (" $L_{th}$ ") is at least as thick as the polarization decay length scale (" $L_p$ "), one can calculate or determine the thickness for a particular material type according to the equation:

$$L_p = \sqrt{T_p D_p} \quad (6)$$

10

where  $T_p$  is the noble gas nuclear spin relaxation time in the polymer and  $D_p$  is the noble gas diffusion coefficient in the polymer. For example, a layer of substantially pure polyethylene can be positioned over a commercially available O-ring.

15 Alternatively, the O-ring or seal can be coated with a surface material such as LDPE or deuterated HDPE or other low-relaxivity property material. It is also preferred that the relaxivity value "Y" is less than about 0.0012cm/min for  $^3\text{He}$ .

When bags with long surface relaxation times are used as containers, other relaxation mechanisms can become important. One of the most important additional relaxation mechanisms is due to collisions of the noble gas with paramagnetic oxygen.

20 Because  $\text{O}_2$  has a magnetic moment, it can relax hyperpolarized gases in the same manner as protons. Given this problem, care should be taken to reduce the oxygen content in the storage container through careful preconditioning of the container, such as by repeated evacuation and pure gas purging procedures. Preferably, the container is processed such that the  $\text{O}_2$  concentration yields a  $T_1$  of about 1000 hours or more.

25 More preferably, the container is processed to obtain an  $\text{O}_2$  concentration on the order of about  $6.3 \times 10^{-6}$  atm or less or about  $10^{-7}$  atm or less, and even more preferably less than about  $1 \times 10^{-10}$  atm. Additionally, the evacuation/purge procedures can include heating the container or other evacuating or pumping methods to additionally facilitate the removal of any remaining (monolayer) residual amounts of moisture or

30 water.

Preferably, the mixing container/interfaces, syringes, and tubing are prepared in advance of use to minimize any preparation required at the time of use at the gas injection site. Therefore, preferred pre-conditioning or equipment preparation methods such as cleaning, evacuating, and purging the components to remove oxygen

5 and paramagnetic contaminants are preferably done off-site. After preparation/conditioning, the pre-conditioned syringes can be stored at the hospital for use under pressure with a noble gas or benign liquid therein. This pre-filled gas or fluid storage can minimize the potential for the containers, syringes or components to degas (gas from the matrix of a material such as oxygen can migrate into the chamber onto the

10 contact surfaces), and can also minimize air leaking into the container. Alternatively, or in addition to the pre-conditioning, the pressurized tubing and delivery vessels (and/or syringes) can be sealed with check valves or other valved ports. In another alternative, vacuum tight valves can allow the tubes and containers to be stored for use under vacuum rather than under positive pressure.

15 The hyperpolarized gas is collected (as well as stored, transported, and preferably delivered) in the presence of a magnetic field. For  $^3\text{He}$ , the magnetic field is preferably on the order of at least 5-30 gauss although, again, higher (homogeneous) fields can be used. The magnetic field can be provided by electrical or permanent magnets. In one embodiment, the magnetic field is provided by a

20 plurality of permanent magnets positioned about a magnetic yoke which is positioned adjacent the collected hyperpolarized gas. Preferably, the magnetic field is homogeneously maintained around the hyperpolarized gas to minimize field induced degradation.

In operation, the injected hyperpolarized  $^3\text{He}$  of the present invention can

25 provide signal strengths even in relatively small quantities which can be detected by known NMR spectroscopy and imaging methods. In a preferred embodiment, a second quantity of  $^3\text{He}$  is delivered via inhalation to allow both a perfusion (injection based) and ventilation (inhalation based) MR image or "VQ scan". Because  $^3\text{He}$  is used for both excitations/data acquisition, for vasculature images, a single NMR

30 excitation coil (chest coil) can be conveniently used to obtain both signals.

Dissolving Xenon

In addition, microbubbles can be used as a dissolving mechanism to assist in dissolving xenon into a liquid, which has traditionally been extremely reluctant to dissolve into a carrier liquid. As an example, a vial with a plurality of microbubbles 5 is provided. Next, polarized  $^{129}\text{Xe}$  is added to the vial. A solvent or liquid mixture (preferably physiologically compatible and non-toxic and sterile) is added to provide an optimal bubble packing fraction (*i.e.*, a limited amount of liquid as discussed above). Alternatively, the amount of liquid can be increased to provide a diluted liquid mixture, thus inducing the xenon to exit the bubble to achieve equilibrium. In 10 any event, the xenon rapidly leaches into the solution out of the microbubble. Preferably, prior to injection, the bubbles are strained or filtered out leaving a liquid with dissolved xenon. Advantageously, the microbubbles can then act as an accelerator to assist in the xenon dissolving in a liquid, which, in the past has been time consuming and problematic.

15 Of course, because the microbubbles will preferably be filtered from the dissolved xenon, the microbubble size is not limited by the injection thereof into *in vivo* systems. Exemplary compatible fluids are described in PCT/US97/05166 to Pines et al.

20 Drug Evaluations

Although it is preferred that the microbubble injectable formulation be a pharmaceutical grade *in vivo* formulation (such as a non-toxic and sterilized solution, with the alkali metal separated from the hyperpolarized gas according to FDA standards(for alkali spin exchange hyperpolarized gases), the present invention is not 25 limited thereto. Indeed, rapid advances are being made with the ability to treat and target many diseases with innovative drug and drug therapies. NMR spectroscopy based on hyperpolarized gases can be used to observe the effects of administered drugs on the biochemistry of the organism or the changes in the drug which occur following its administration. The instant invention can allow for improved sensitivity 30 and potentially higher resolution information for evaluations of the treatments or even the chemical processes underlying a disease state with respect to the desired target

tissues or organs within the body. For example, delivery of the injectable microbubble solution to an animal or *in vitro* target can evaluate the efficacy of treatment on function or the progression or regression/improvement of a condition in the pulmonary vasculature, cardiac, brain, or other tissue, organ, or system.

5        The foregoing is illustrative of the present invention and is not to be construed as limiting thereof. Although a few exemplary embodiments of this invention have been described, those skilled in the art will readily appreciate that many modifications are possible in the exemplary embodiments without materially departing from the novel teachings and advantages of this invention. Accordingly, all such modifications  
10      are intended to be included within the scope of this invention as defined in the claims. In the claims, means-plus-function clauses are intended to cover the structures described herein as performing the recited function and not only structural equivalents but also equivalent structures. Therefore, it is to be understood that the foregoing is illustrative of the present invention and is not to be construed as limited to the specific  
15      embodiments disclosed, and that modifications to the disclosed embodiments, as well as other embodiments, are intended to be included.

## THAT WHICH IS CLAIMED IS:

1. A method of producing an injectable *in vivo* formulation of hyperpolarized  $^3\text{He}$ , comprising the steps of:

5 (a) introducing a plurality of microbubbles into a chamber;

(b) directing a quantity of hyperpolarized  $^3\text{He}$  into the chamber with the plurality of microbubbles;

(c) directing a quantity of liquid into the chamber after the quantity of hyperpolarized gas and the microbubbles are located therein;

10 (d) increasing the pressure in the container to above one atmosphere; and

(e) contacting the microbubbles and the hyperpolarized  $^3\text{He}$  with the liquid thereby producing an injectable formulation of hyperpolarized  $^3\text{He}$  microbubbles.

2. A method according to Claim 1, wherein said increasing step comprises increasing to above 2 atmospheres.

3. A method according to Claim 1, wherein said increasing step is performed after said introducing step.

4. A method according to Claim 3, wherein said increasing step comprises increasing to at least about 5-10 atmospheres.

5. A method according to Claim 1, wherein the quantity of liquid is substantially equal to or less than the combined volumes of microbubbles and hyperpolarized  $^3\text{He}$ .

6. A method according to Claim 1, wherein the quantity of hyperpolarized  $^3\text{He}$  in the chamber is larger than the quantity of liquid.

7. A method according to Claim 6, wherein the quantity of

hyperpolarized  $^3\text{He}$  in the chamber is at least about two times greater than the quantity of liquid.

8. A method according to Claim 1, further comprising the step of premixing an additional quantity of hyperpolarized  $^3\text{He}$  with the liquid prior to said introducing step.

9. A method according to Claim 1, wherein the microbubbles are sized to be less than about 10 micrometers in diameter.

10. A method according to Claim 1, wherein the liquid comprises a deuterated liquid.

11. A method according to Claim 1, wherein the liquid comprises substantially deoxygenated water.

12. A method according to Claim 1, wherein the liquid is substantially deionized.

13. A method according to Claim 1, wherein the liquid comprises  $\text{D}_2\text{O}$ .

14. A method according to Claim 13, wherein the liquid has a low proton density.

15. A method according to Claim 1, wherein the liquid has a low solubility for  $^3\text{He}$ .

16. A method according to Claim 1, wherein the liquid has a high diffusion coefficient for  $^3\text{He}$ .

17. A method according to Claim 1, wherein said steps (b) through (e) are

carried out temporally proximate to the point of injection.

18. A method according to Claim 1, wherein the injectable formulation is sized at less than about 50cc's.

19. A method according to Claim 18, wherein in the injectable formulation is sized in the range of about 15-30 cc's.

20. A method according to Claim 18, wherein the injectable formulation is sized in the range of about 5-15 cc's.

21. A method according to Claim 1, further comprising the step of measuring the polarization post-formulation and proximate to delivery to determine level of polarization thereat.

22. A method according to Claim 1, further comprising the step of acquiring NMR data based on the detection of the hyperpolarized gas delivered *in vivo* via the injectable microbubble hyperpolarized formulation.

23. A method according to Claim 1, further comprising the step of obtaining an MR image based on the detection of the hyperpolarized gas delivered *in vivo* via the injectable microbubble hyperpolarized formulation.

24. A method according to Claim 23, further comprising the step of delivering via inhalation a second quantity of hyperpolarized  $^3\text{He}$  gas, and wherein the MR image comprises data associated with both the injected and inhaled hyperpolarized  $^3\text{He}$ .

25. A method according to Claim 22, further comprising the step of analyzing the effectiveness of drug therapies on a target condition based on said NMR acquisition step.

26. A method of preparing and subsequently injecting polarized gaseous  $^3\text{He}$  *in vivo*, comprising the steps of:

- (a) introducing a quantity of microbubbles into a container;
- (b) applying a vacuum to the container;
- 5 (c) directing a first quantity of hyperpolarized  $^3\text{He}$  gas into the evacuated container with the microbubbles;
- (d) directing a second quantity of a fluid into the container to form a bubble solution; and
- (e) injecting the bubble solution into a subject.

27. A method according to Claim 26, wherein the second quantity of fluid comprises a substantially deoxygenated fluid.

28. A method according to Claim 26, wherein said injecting step includes delivering the bubble solution to a catheter inserted into the vein of a subject.

29. A method according to Claim 26, wherein steps (b) through (d) are carried out temporally proximate to step (e).

30. A method according to Claim 26, wherein steps (b) through (e) are carried out in less than about 30 seconds.

31. A method according to Claim 26, further comprising the step of acquiring NMR signal data based on the detection of the hyperpolarized gas delivered to a target via the bubble solution.

32. A method of solubilizing gaseous hyperpolarized  $^{129}\text{Xe}$ , comprising the steps of:

- introducing a first quantity of bubbles into a chamber;
- 5 directing a second quantity of hyperpolarized  $^{129}\text{Xe}$  into the chamber such that at least a portion of the  $^{129}\text{Xe}$  contacts the microbubbles;

dissolving a portion of the  $^{129}\text{Xe}$ ; and  
separating substantially all of the microbubbles from the  $^{129}\text{Xe}$  prior to delivery  
to a subject.

33. A pharmaceutical injectable *in vivo* fluid hyperpolarized product,  
comprising:

a first quantity of microbubbles formed from a first material;  
a second quantity of hyperpolarized  $^3\text{He}$ ; and  
5 a third quantity of a liquid carrier solution, wherein the third quantity is less  
than or substantially equal to the sum of the first and second quantities.

34. A pharmaceutical injectable product according to Claim 33, wherein  
the microbubbles are sized less than about 10  $\mu\text{m}$  in diameter.

35. A pharmaceutical injectable product according to Claim 33, wherein  
said first, second and third quantities total about 50cc's.

36. A pharmaceutical injectable product according to Claim 35, wherein  
said liquid carrier solution has at least one of a low solubility for  $^3\text{He}$  and a high  
diffusion coefficient for  $^3\text{He}$ .

37. A pharmaceutical product according to Claim 36, in combination with  
a container having a gas holding chamber, wherein said chamber is defined by walls  
formed of a material which exhibits a low solubility for  $^3\text{He}$ .

38. A pharmaceutical product according to Claim 37, wherein said  
container is configured to withstand one or more of pressures elevated above one  
atmosphere and pressures decreased to below one atmosphere.

39. A pharmaceutical product according to Claim 38, wherein said  
container includes an NMR coil operably associated therewith.

1/5

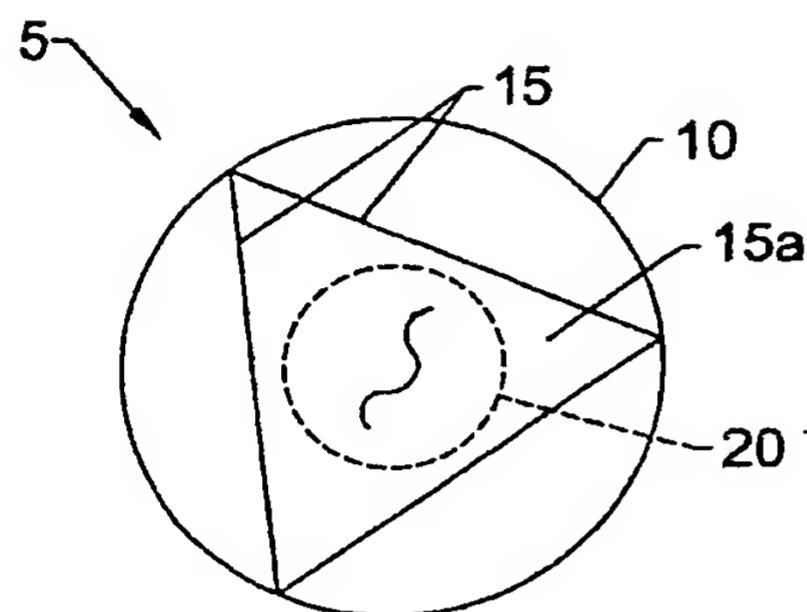


FIG. 1.

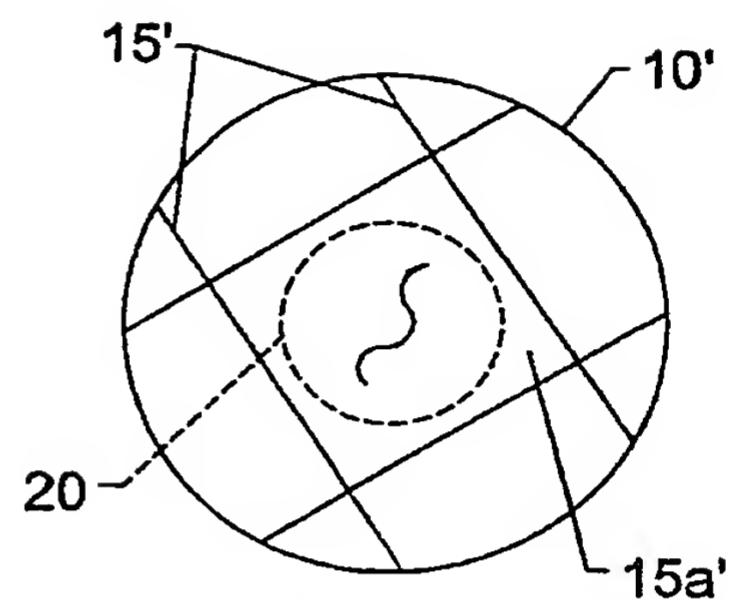


FIG. 1A.

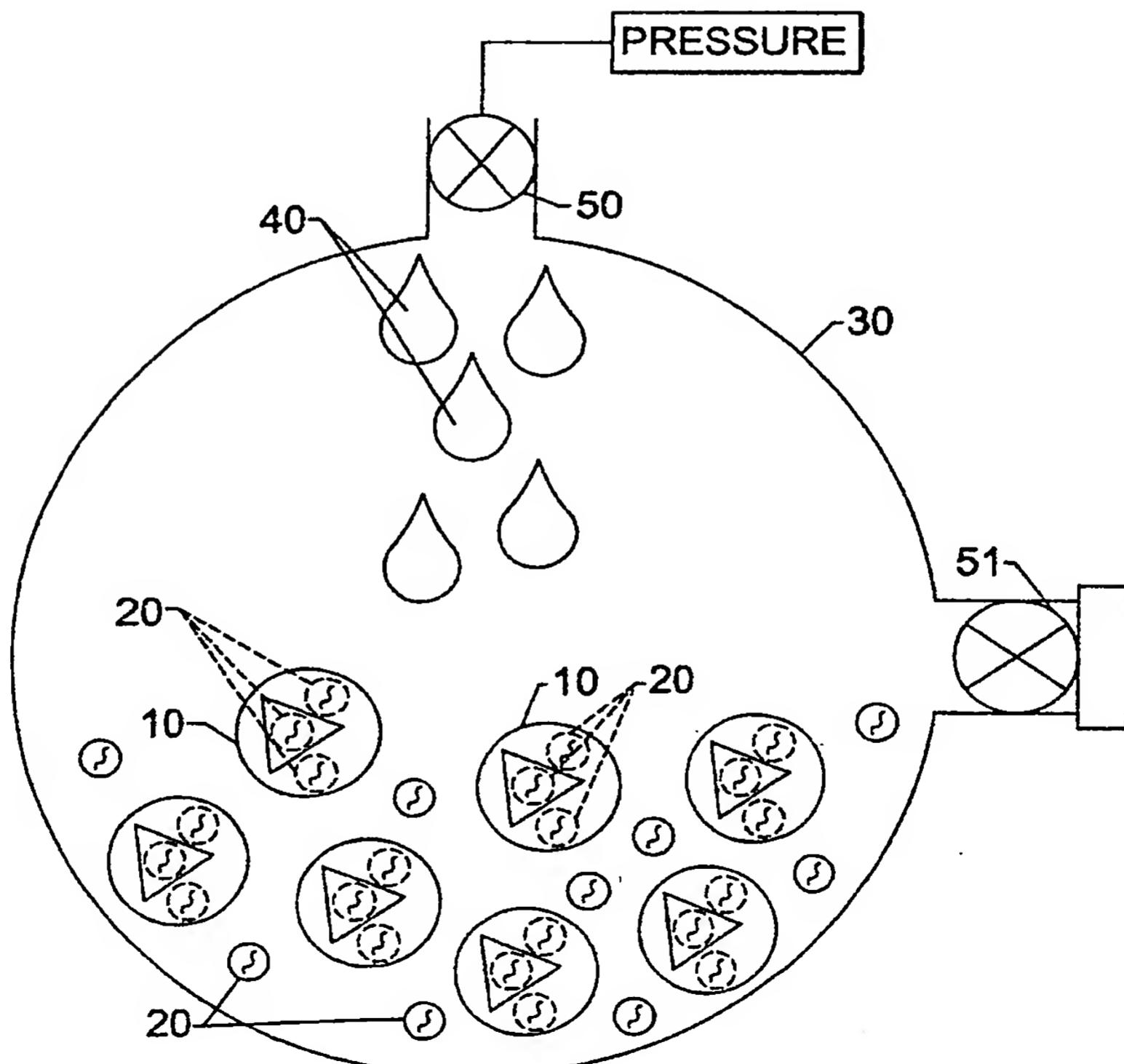
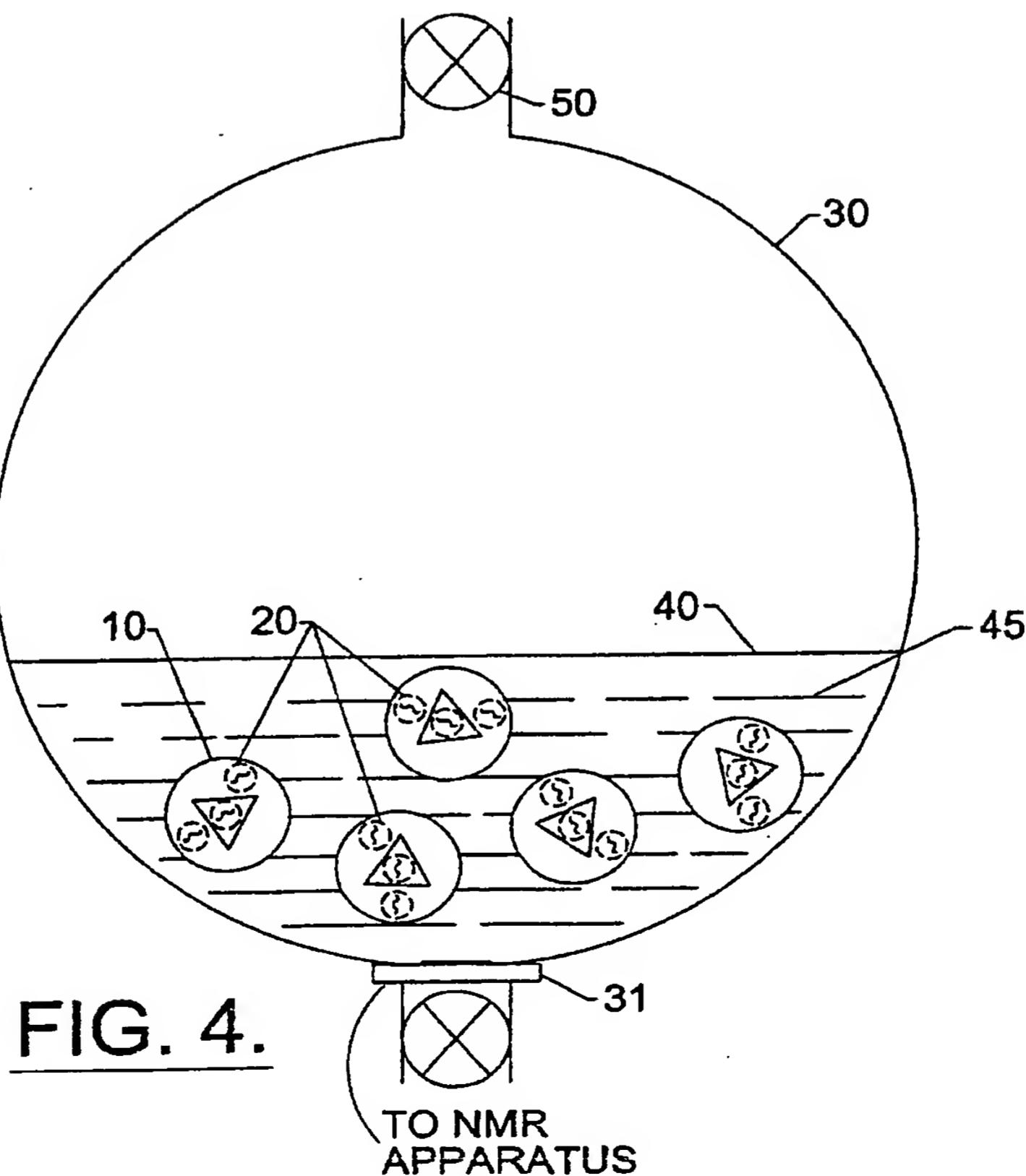
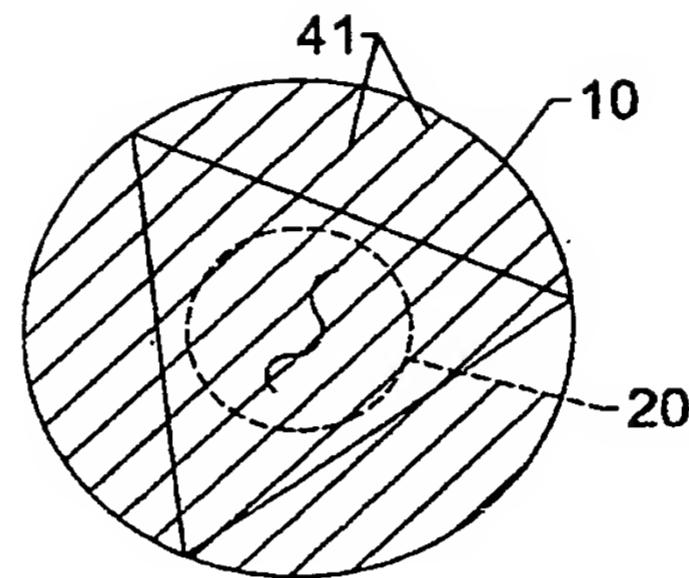
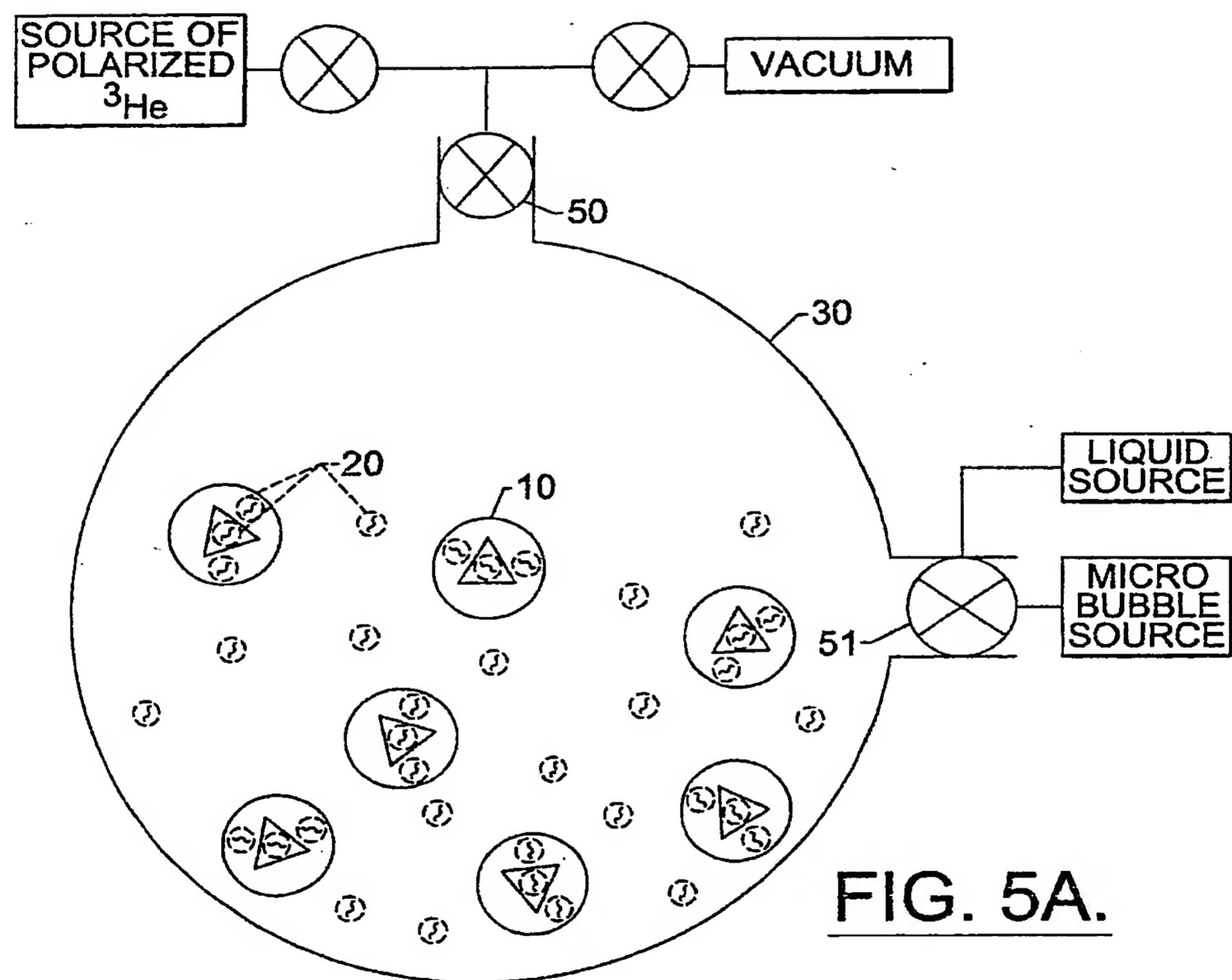


FIG. 2.

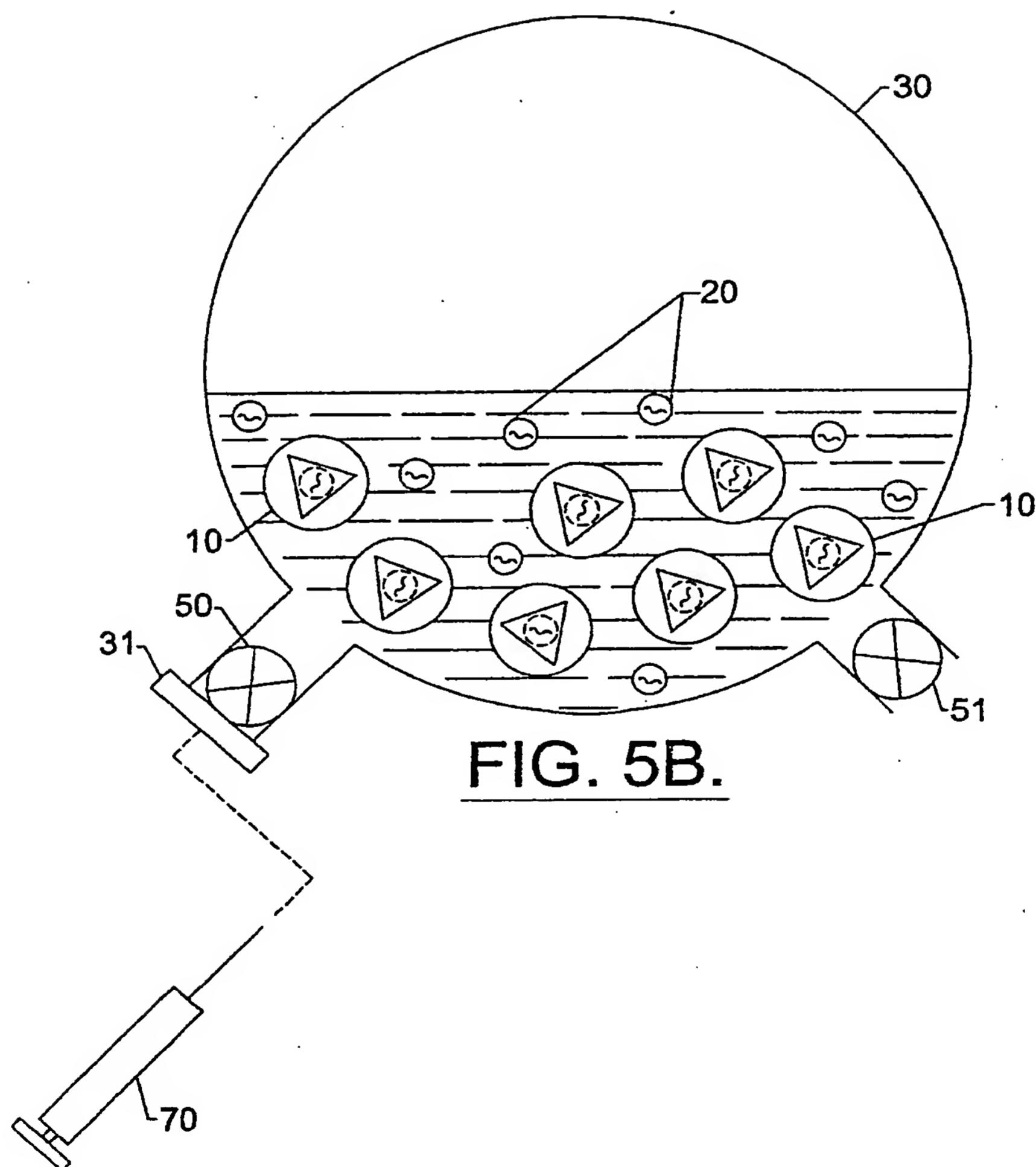
2/5

**FIG. 3.****FIG. 4.**

3/5



4/5



5/5

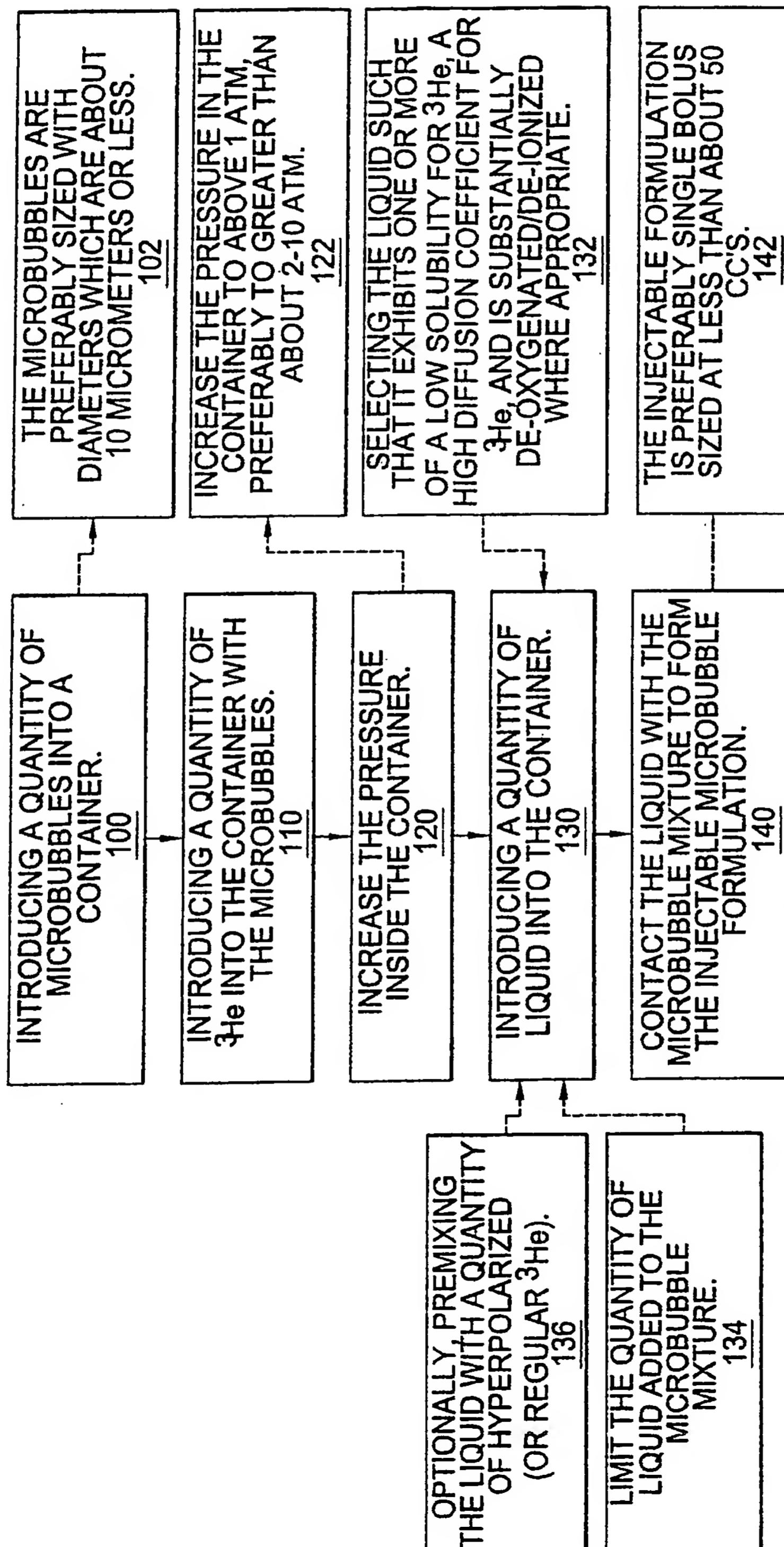


FIG. 6.

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/25434

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 A61K49/00

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 612 103 A (CATES JR GORDON D ET AL) 18 March 1997 (1997-03-18) cited in the application ---	
X	WO 97 00638 A (IMAR PHARMACEUTICAL CORP) 9 January 1997 (1997-01-09) page 7, line 35 -page 8, line 2; claims page 35, line 33 - line 37 page 28, line 24 - line 26 page 29, line 3 - line 5 ---	1-39
X	WO 96 28090 A (IMARX PHARMACEUTICAL CORP) 19 September 1996 (1996-09-19) page 13, line 20 - line 23 page 22, line 24 - line 31; claims 1,29-31 ---	1-39 -/-

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

6 April 2000

Date of mailing of the international search report

14/04/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.  
Fax: (+31-70) 340-3016

Authorized officer

Berte, M

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 99/25434

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	CHAWLA M S ET AL: "IN VIVO MAGNETIC RESONANCE VASCULAR IMAGING USING LASER-POLARIZED 3HE MICROBUBBLES" PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF USA, US, NATIONAL ACADEMY OF SCIENCE. WASHINGTON, vol. 95, 1 September 1998 (1998-09-01), pages 10832-10835, XP000791173 ISSN: 0027-8424 cited in the application page 10832, column 2, paragraph 2	1-39
P, X	WO 99 07415 A (BRACCO RESEARCH SA) 18 February 1999 (1999-02-18) claims	1

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/25434

### Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:  
**Remark:** Although claim(s) 26-31 is(are) directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2.  Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

### Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

#### Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No  
PCT/US 99/25434

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
US 5612103	A 18-03-1997	AU 695121 B AU 6098396 A BR 9609064 A CA 2220349 A CN 1192128 A EP 0837641 A JP 11508354 T NO 975725 A WO 9639912 A		06-08-1998 30-12-1996 21-09-1999 19-12-1996 02-09-1998 29-04-1998 21-07-1999 05-02-1998 19-12-1996
WO 9700638	A 09-01-1997	US 5656211 A AU 703846 B AU 7594796 A CA 2218860 A CN 1186419 A EP 0840570 A JP 11507873 T		12-08-1997 01-04-1999 22-01-1997 09-01-1997 01-07-1998 13-05-1998 13-07-1999
WO 9628090	A 19-09-1996	US 5922304 A AU 2157395 A AU 5184496 A CA 2214855 A EP 0797433 A EP 0852477 A JP 9510204 T JP 11501839 T US 6033646 A WO 9524184 A US 5776429 A		13-07-1999 25-09-1995 02-10-1996 19-09-1996 01-10-1997 15-07-1998 14-10-1997 16-02-1999 07-03-2000 14-09-1995 07-07-1998
WO 9907415	A 18-02-1999	AU 8458798 A CN 1236323 T EP 0968000 A NO 991688 A		01-03-1999 24-11-1999 05-01-2000 09-06-1999